

AMENDED  
APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Nº 40234

Date of filing in State Engineer's Office..... JAN 4 1980

Returned to applicant for correction.....

Corrected application filed..... MAY 15 1980

Map filed..... MAY 15 1980

The applicant..... John R. Brakey

4132 W. 5900 S. ...., of..... Kearns  
Street and No. or P.O. Box No. .... City or Town

Utah 84118  
State and Zip Code No. ...., hereby make.... application for permission to appropriate the public

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)..... N/A

1. The source of the proposed appropriation is..... underground - well  
Name of stream, lake or other source.

2. The amount of water applied for is..... 5.4 .....second-feet  
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet..... N/A .....acre-feet

3. The water to be used for..... irrigation  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated)..... 320

(b) Stockwater (state number and kinds of animals to be watered)..... N/A

(c) Other use (describe fully under "No. 12. Remarks")..... N/A

(d) Power:

(1) Horsepower developed..... N/A

(2) Point of return of water to stream..... N/A

5. The water is to be diverted from its source at the following point:..... NE¼ of SW¼ Section 9, Township

33 North, Range 63 East, Mount Diablo Base Meridian. Point of diversion lies  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,  
S 63° 25' 36" W, 14683.58 feet from the Southwest corner of Section 18, said  
it should be stated. Township

6. Place of use..... S½ Section 9, Township 33 North, Range 63 East, Mount Diablo Base  
Describe by legal subdivision, if on unsurveyed land it should be so stated.  
Meridian, Elko County, Nevada

7. Use will begin about..... Jan. 1 .....and end about..... Dec. 31 .....of each year.  
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)..... deep well turbine pressure pump mainline  
and sprinklers  
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

- 9. Estimated cost of works... \$90,000.00
- 10. Estimated time required to construct works... 3 years
- 11. Estimated time required to complete the application to beneficial use... 5 years
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Will be used for irrigation

Applicant John R. Brakey

By s/Wallace D. Whiting agent.  
5212 So 2200 West  
Salt Lake City, Ut. 84118

Compared bl/ jk bl/bc

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ deny the same, subject to the following limitations and conditions:

This application is herewith denied on the grounds that the granting thereof would adversely affect existing rights and would be detrimental to the public interest and welfare.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed cubic feet per second

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before


Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

Map in support of proof of beneficial use shall be filed on or before

- Commencement of work filed
- Completion of work filed
- Proof of beneficial use filed
- Cultural map filed
- Certificate No. Issued

IN TESTIMONY WHEREOF, I, PETER G. MORROS  
State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 17th day of AUGUST

94  
A.D. 19  
  
State Engineer